CHAPTER 11-55 APPENDIX B

NPDES GENERAL PERMIT
AUTHORIZING DISCHARGES OF STORM WATER
ASSOCIATED WITH INDUSTRIAL ACTIVITIES

October 2007

1. Coverage under this General Permit

   (a) This general permit covers discharges composed entirely of storm water runoff associated with industrial activity, as defined in 40 CFR §§122.26(b)(14)(i) through 122.26(b)(14)(ix) and 122.26(b)(14)(xi).

   (b) This general permit covers all areas of the State except for discharges in or to state waters classified by the department as "class 1, inland waters," "class AA, marine waters," and areas restricted in accordance with the State's "No Discharge" policy in chapter 11-54 titled "Water Quality Standards."

2. Limitations on Coverage under this General Permit

   (a) This general permit does not cover the following:

      (1) Storm water discharges associated with industrial facilities which flow into a sanitary sewer system;

      (2) Storm water discharges in categories for which storm water discharge limitation guidelines have been promulgated by the EPA;

      (3) Storm water discharges associated with construction activities;

(4) Storm water discharges from industrial facilities which initially enter separate storm water drainage systems, unless a permit, license, or equivalent written approval is granted by the owner(s) of the drainage system(s) allowing the subject discharge to enter their drainage system(s);

(5) Storm water discharges for which the director has issued a notice of general permit coverage under another general permit specific to that type of industrial activity;

(6) Storm water discharges for which the director has received a "no exposure" certification for a conditional "no exposure" exclusion;

(7) Storm water discharges from municipal separate storm water drainage systems;

(8) Storm water discharges the director finds more appropriately regulated under an individual permit; and

(9) Storm water discharges where the circumstances have changed since the time of the request to be covered so that the permittee is no longer appropriately controlled under the general permit, or either a temporary or permanent reduction or elimination of the authorized discharge is necessary.

(b) The director may require any permittee authorized by this general permit to apply for and obtain an individual permit, in

accordance with sections 11-55-34.05 and 11-55-34.10.

3. Term of General Permit

(a) This general permit becomes effective when section 11-55-34.02(b)(1) becomes effective ten days after filing with the office of the lieutenant governor. This general permit expires five years after the effective date or when amendments to section 11-55-34.02(b)(1) are adopted, whichever is earlier.

(b) A notice of general permit coverage under this general permit expires:

(1) Five years after the effective date of this general permit;

(2) When the notice of general permit coverage specifies; or

(3) When amendments to section 11-55-34.02(b)(1) are adopted,

whichever is earliest, unless the notice of general permit coverage is administratively extended under section 11-55-34.09(d).

4. Notice of Intent Requirements

(a) The owner or its duly authorized representative shall submit a complete notice of intent no later than thirty days before the proposed starting date of the facility industrial activity or thirty days before the expiration date of the applicable notice of general permit coverage.

(b) The owner or its duly authorized representative shall include the following information in the notice of intent:

(1) Information required in section 34 of appendix A of chapter 11-55;

(2) List of up to four Standard Industrial Classification codes or North American Industrial Classification System codes that best represent the products or activities of the facility;

(3) Existing quantitative and qualitative data which describe the concentrations of pollutants in storm water discharges. In cases when this data is not available at the time of notice of intent submission due to lack of representative rainfall event for sampling, the permittee shall monitor the next representative rainfall event and submit the data to the director of health within thirty days of the sampling;

(4) Facility site map; and

(5) Storm water pollution control plan, which meets the applicable requirements as specified in sections 6 or 7 or both of this general permit.

(A) The applicant for a proposed facility shall submit the storm water pollution control plan to the director within one hundred twenty days after the issuance date of the notice of general permit coverage or by the date the applicant claimed automatic coverage as

specified in section 11-55-34.09(e)(2), or by the date the facility begins operations. The permittee for a proposed facility shall implement its storm water pollution control plan within one hundred eighty days after submittal to the director.

(B) The permittee for a facility which is currently covered by a notice of general permit coverage shall submit its existing or updated storm water pollution control plan, which meets the applicable requirements as specified in sections 6 or 7 or both of this general permit, with the notice of intent and shall continue to implement the storm water pollution control plan during the processing of the notice of intent.

(C) The applicant for an existing facility not currently covered by a notice of general permit coverage shall submit a storm water pollution control plan with the notice of intent, which meets the applicable requirements in sections 6 or 7 or both of this general permit. If a storm water pollution control plan is not available at the time of the notice of intent submittal, the applicant may request that the storm water pollution control plan be submitted within one hundred twenty days after the issuance date of the notice of general permit coverage

or by the date the applicant claimed automatic coverage as specified in section 11-55-34.09(e)(2). The permittee shall implement its storm water pollution control plan upon submittal to the director.

(c) The director may require additional information to be submitted.

(d) The owner or its duly authorized representative shall submit a complete notice of intent to the director at the following address or as otherwise specified:

Director of Health
Clean Water Branch
Environmental Management Division
State Department of Health
P.O. Box 3378
Honolulu, Hawaii 96801-3378

5. Standard Conditions

The permittee shall comply with the standard conditions as specified in appendix A of chapter 11-55. In case of conflict between the conditions stated here and those specified in the standard general permit conditions, the more stringent conditions shall apply.

6. Storm Water Pollution Control Plan Requirements

(a) The permittee shall develop and implement a storm water pollution control plan to minimize the discharge of pollutants in storm water runoff and to maintain compliance with conditions of this general permit. The storm

water pollution control plan shall include the following:

(1) Brief facility description;

(2) Site map identifying the locations of drainage structures; outline of each drainage area; paved areas and buildings and other ground cover within each drainage area; each past or present area for outdoor storage, industrial activities, or disposal of materials; each past or present area of a significant spill (as identified in sections 6(a)(5) and 6(a)(6) of this general permit); structural measures for the control of storm water; material loading and access areas; areas where pesticides, herbicides, soil conditioners and fertilizers are applied; hazardous waste storage or disposal areas or both; underground injection wells; sampling locations, outfall locations; and the nearest receiving state water(s);

(3) Pollutant control strategy identifying potential pollutants, pollutant sources, and control strategies used to minimize the discharge of pollutants. The permittee shall consider the use of containment structures, covering materials by roof or tarpaulin, preventive maintenance, good housekeeping measures, waste minimization, removal of exposed pollutants, and spill prevention practices;

(4) Spill prevention and response plan that identifies spill prevention and response measures and facility personnel responsible for its implementation and conforms with the reporting requirements. Responsible personnel shall be available at all times when the facility is in operation;

(5) Existing information regarding significant leaks or spills of toxic or hazardous pollutants at the facility that have taken place within the five years before the submittal of this storm water pollution control plan;

(6) Existing information regarding any discharge of storm water resulting in the discharge of a reportable quantity for which notification is or was required under 40 CFR §110.6 at anytime since November 16, 1987;

(7) Storm water monitoring plan that includes the following:

(A) Rationale for selecting sampling locations. Where two or more outfalls are expected, based on the features and activities within the drainage areas, to convey substantially similar storm water discharges, the permittee may request to monitor only one of those outfalls. The director may approve the request if the permittee demonstrates that the outfalls monitored are representative for the overall storm water discharges from the

facility. The justification for the outfall sampling locations chosen shall be incorporated into the monitoring plan. The permittee shall sample for all potentially present pollutants as identified in the notice of intent; as listed in Federal Register, Vol. 65, No. 210, pages 64746-64880, dated October 30, 2000, as amended in Federal Register, Vol. 66, No. 6, pages 1675-1678, dated January 9. 2001, and Federal Register, Vol. 66, No. 57, pages 16233-16237, dated March 23, 2001; or the storm water pollution control plan;

(B) Sample collection methods, including quality assurance/quality control methods;

(C) List of parameters to be monitored;

(D) Type of sample to be taken for each parameter to be monitored;

(E) Test procedures to be used for each parameter to be monitored;

(F) Detection limit for each test procedure;

(G) Method to calculate storm water flow;

(H) Procedures to collect storm event information, including the date, duration, and starting and ending times of the storm event, and the duration between the storm event

and the end of the previous rainfall event with rainfall greater than 0.1 inches; and

(I) Procedures to inspect receiving state waters, storm water runoff, control measures, and best management practices to detect violations of the basic water quality criteria as specified in section 11-54-4;

(8) Procedures for implementing, reviewing, and updating the storm water pollution control plan including:

(A) Annual employee education or training program that ensures the storm water pollution control plan will be properly implemented;

(B) Protocol for inspections that ensures the pollutant control strategy and the spill prevention and response plan are being effectively carried out; and

(C) Documentation procedures for all inspections and reviews required in the storm water pollution control plan.

(9) If the industrial facility discharges storm water to a state water for which a total maximum daily load has been approved by the EPA, the permittee shall develop and submit an implementation and monitoring plan with the notice of intent or within ninety days after the issuance date of the notice of general

permit coverage or by the date the permittee claimed automatic coverage as specified in section 11-55-34.09(e)(2). The permittee shall incorporate the total maximum daily load into the facility's storm water pollution control plan within sixty days of the date of submittal of the plan and implement necessary steps to meet the plan.

(b) The permittee shall retain the storm water pollution control plan, and all subsequent revisions, on-site or at a nearby office.

(c) The permittee shall conduct facility inspections as specified in Federal Register, Vol. 65, No. 210, pages 64746-64880, dated October 30, 2000, as amended in Federal Register, Vol. 66, No. 6, pages 1675-1678, dated January 9. 2001, and Federal Register, Vol. 66, No. 57, page 16233-16237, dated March 23, 2001; to ensure that the storm water pollution control plan remains effective. Otherwise, the permittee shall conduct facility inspections at least semi-annually. The permittee shall maintain a record of the following:

(1) Dates on which inspections were conducted;

(2) Inspection findings; and

(3) Corrective actions taken.

(d) The permittee shall review and update the storm water pollution control plan as often as needed to comply with the conditions of this general permit or conditions of the notice of general permit coverage, whichever

is more stringent, or as required by the director. The permittee shall document and report any changes to the storm water pollution control plan to the director within thirty days of when the changes arise. The permittee shall retain the storm water pollution control plan and all accompanying records, reports, and changes, for a period of at least five years after the expiration of this general permit unless otherwise noted in section 13 of this general permit.

7. Additional Conditions for Facilities Subject to Superfund Amendments and Reauthorization Act Section 313 Requirements.

The permittee for facilities subject to reporting requirements under Superfund Amendments and Reauthorization Act of 1986, Title III, Section 313, 42 U.S.C. §11023 for chemicals which are classified as "Section 313 water priority chemicals" in accordance with the definition in section 7(c) shall describe and ensure in the storm water pollution control plan the implementation of practices which are necessary to provide conformance with the following guidelines:

(a) In areas where Section 313 water priority chemicals are stored, processed or otherwise handled, the permittee shall provide appropriate containment, drainage control or diversionary structures or both. At a minimum, the permittee shall use one of the following preventive systems or its equivalent:

(1) Curbing, culverting, gutters, sewers or other forms of drainage control to prevent or minimize the potential for storm water runoff to come into contact

with significant sources of pollutants; or

(2) Roofs, covers or other forms of protection to prevent storage piles from exposure to storm water and wind.

(b) In addition to the minimum standards listed under section 7(a) above, the permittee shall include in the storm water pollution control plan a complete discussion of measures taken to conform with the following applicable guidelines, other effective storm water pollution control procedures, and applicable state rules, regulations, and guidelines:

(1) Liquid storage areas where storm water comes into contact with any equipment, tank, container, or other vessel used for Section 313 water priority chemicals.

(A) The permittee shall not use any tank or container for the storage of a Section 313 water priority chemical unless its material and construction are compatible with the material stored and conditions of storage such as pressure and temperature, etc.

(B) The permittee shall operate liquid storage areas for Section 313 water priority chemicals to minimize discharges of Section 313 chemicals. Appropriate measures to minimize discharges of Section 313 chemicals may include secondary containment provided for at least the entire contents of the largest

single tank plus sufficient freeboard to allow for precipitation, a strong spill contingency and integrity testing plan or other equivalent measures or both.

(2) The permittee shall incorporate drainage or other control features which will minimize the discharge of Section 313 water priority chemicals from material storage areas for Section 313 water priority chemicals other than liquids which are subject to runoff, leaching, or wind.

(3) The permittee shall operate truck and rail car loading and unloading areas for liquid Section 313 water priority chemicals to minimize discharges of Section 313 water priority chemicals. The permittee shall provide protection such as overhangs or door skirts to enclose trailer ends at truck loading/unloading docks as appropriate. Appropriate measures to minimize discharges of Section 313 chemicals may include: the placement and maintenance of drip pans (including the proper disposal of materials collected in the drip pans) where spillage may occur (such as hose connections, hose reels and filler nozzles) for use when making and breaking hose connections; a strong spill contingency and integrity testing plan; or other equivalent measures or any combination thereof.

(4) The permittee shall operate processing equipment and materials handling

equipment in facility areas where Section 313 water priority chemicals are transferred, processed, or otherwise handled to minimize discharges of Section 313 water priority chemicals. Materials used in piping and equipment shall be compatible with substances handled. The permittee shall provide drainage from process and materials handling areas to minimize storm water contact with Section 313 water priority chemicals. The permittee shall provide additional protection such as covers or guards to prevent exposure to wind, spraying or releases from pressure relief vents from causing a discharge of Section 313 water priority chemicals to the drainage system as appropriate. The Permittee shall perform visual inspections or leak tests for overhead piping conveying Section 313 water priority chemicals without secondary containment.

(5) Discharges from areas covered by section 7(b)(1), 7(b)(2), 7(b)(3), or 7(b)(4).

(A) The permittee shall prevent the discharge of a spill or other excessive leakage of Section 313 water priority chemicals by restraining drainage from areas covered by section 7(b)(1), 7(b)(2), 7(b)(3), or 7(b)(4) by valves or other positive means. Where containment units are employed, the permittee shall manually activate pumps or ejectors to empty units.

(B) The Permittee shall not use flapper-type drain valves to drain containment areas. As much as practicable, the Permittee shall use manual valves designed to open-and-close.

(C) If facility drainage is not engineered as described above, the permittee shall equip all in-facility storm sewers with a diversion system that could, in the event of an uncontrolled spill of Section 313 water priority chemicals, return the spilled material to the facility.

(D) The permittee shall keep records of the frequency and estimated volume (in gallons) of discharges from containment areas.

(6) The permittee shall incorporate the necessary drainage or other control features to prevent discharge of spilled or improperly disposed Section 313 water priority chemicals from other areas of the facility not addressed in sections 7(b)(1), 7(b)(2), 7(b)(3), or 7(b)(4) and ensure the mitigation of pollutants in runoff or leachate, from which runoff which may contain or spills of Section 313 water priority chemicals could cause a discharge.

(7) The permittee shall inspect all areas of the facility at specific intervals for leaks or conditions that could lead to discharges of Section 313 water priority chemicals or direct contact of storm

water with raw materials, intermediate materials, waste materials or products. In particular, the permittee shall examine facility piping, pumps, storage tanks and bins, pressure vessels, process and material handling equipment, and material bulk storage areas for any conditions or failures which could cause a discharge.

(A) The permittee shall include an inspection for leaks, areas affected by wind, corrosion, support or foundation failure, or other forms of deterioration or noncontainment.

(B) The permittee shall specify inspection intervals in the storm water pollution control plan. The permittee shall base inspection intervals on design and operational experience where different areas may require different inspection intervals.

(C) Where a leak or other condition is discovered which may result in significant releases of Section 313 water priority chemicals to state waters, the permittee shall take immediate action to stop the leak or otherwise prevent the significant release of Section 313 water priority chemicals to state waters or immediately shut down the unit or process until such action can be taken.

(D) When a leak or noncontainment of a Section 313 water priority chemical has occurred, the permittee shall promptly remove and dispose contaminated soil, debris, or other material in accordance with federal, state, and local requirements and as described in the storm water pollution control plan.

(8) The permittee shall have the necessary security systems to prevent accidental or intentional entry which could cause a discharge from the facility. The permittee shall address fencing, lighting, vehicular traffic control, and securing of equipment and buildings in the storm water pollution control plan.

(9) The permittee shall train and inform employees and contractor personnel (who work in areas where Section 313 water priority chemicals are used or stored) on preventive measures at the facility.

(A) The permittee shall conduct employee training at intervals specified in the storm water pollution control plan, but not less than once a year, in matters of pollution laws and regulations, and in the storm water pollution control plan and the particular features of the facility and its operation which are designed to minimize discharges of Section 313 water priority chemicals.

(B) The permittee shall designate and include in the storm water pollution control plan a person who is accountable for spill prevention at the facility and who will set up the necessary spill emergency procedures and reporting requirements so that spills and emergency releases of Section 313 water priority chemicals can be isolated and contained before a discharge of a Section 313 water priority chemical can occur.

(C) The permittee shall inform contractors or temporary personnel of plant operation and design features in order to prevent discharges or spills from occurring.

(10) The permittee shall have the storm water pollution control plan for a facility subject to Superfund Amendments and Reauthorization Act, Title III, Section 313 requirements for chemicals which are classified as "Section 313 water priority chemicals" reviewed and certified by a licensed professional engineer. The permittee shall have the licensed professional engineer recertify the storm water pollution control plan every three years thereafter or as soon as practical after significant modifications are made to the facility. The licensed professional engineer, having examined the facility and being familiar with the provisions of this part, shall attest that the storm water pollution control plan has been prepared

in accordance with good engineering practices. The certification shall in no way relieve the permittee of a facility covered by the storm water pollution control plan of their duty to prepare and fully implement the storm water pollution control plan.

(c) "Section 313 water priority chemical" means a chemical or chemical categories which:

(1) Are listed at 40 CFR §372.65 under Section 313 of Title III of the Superfund Amendments and Reauthorization Act of 1986 also titled the Emergency Planning and Community Right-to-Know Act;

(2) Are present at or above threshold levels at a facility subject to Superfund Amendments and Reauthorization Act, Title III, Section 313 reporting requirements; and

(3) Meet at least one of the following criteria:

(A) Are listed in Appendix D of 40 CFR §122 on either Table II (organic priority pollutants), Table III (certain metals, cyanide, and phenols) or Table V (certain toxic pollutants and hazardous substances);

(B) Are listed as a hazardous substance under Section 311(b)(2)(A) of the Act at 40 CFR §116.4; or

(C) Are pollutants for which the EPA has published acute or chronic water quality criteria.

8. Storm Water Discharge Limitations and Monitoring Requirements

(a) The storm water discharge shall be limited and monitored by the permittee as specified in this section and in Table 34.1. (Daily maximum storm water discharge limitations for saline water apply only when discharges to saline water occur and daily maximum storm water discharge limitations for fresh water apply only when discharges to fresh water occur.)

(1) Sampling Points

The permittee shall monitor the storm water outfalls, prior to mixing with receiving state water or entering separate storm water drainage systems, as identified in the storm water pollution control plan.

(2) Collection of Samples

(A) The permittee shall collect samples from a discharge resulting from a representative storm event as defined in section 11-55-01.

(B) The permittee shall take samples and measurements for the purposes of monitoring which are representative of the volume and nature of the total discharge.

(3) Types of Samples

Definitions for grab sample and composite sample are in note {2} of Table 34.1.

(4) Test Procedures

(A) The permittee shall use test procedures for the analysis of pollutants which conform with regulations published under Section 304(h) of the Act.

(B) Unless otherwise noted in this general permit, the permittee shall measure all pollutant parameters in accordance with methods prescribed in 40 CFR Part 136, promulgated under Section 304(h) of the Act. The permittee may submit applications for the use of alternative test methods in accordance with 40 CFR §136.4.

(C) The permittee shall use test methods with detection limitations that reflect the applicable numerical limitations as specified in chapter 11-54. If the test result is not detectable, indicate that the test result is "less than #," where the # is the lowest detection limit of the test method used.

(5) Recording of Results

The permittee shall comply with section 14(c) of appendix A of chapter 11-55 for each measurement or

sample taken under the requirements of this general permit.

(6) Quantity of Flow

The permittee shall estimate or calculate the quantity of storm water discharged and submit the calculations.

(b) Basic Water Quality Criteria and Inspections

(1) The permittee shall not cause or contribute to a violation of the basic water quality criteria as specified in section 11-54-4.

(2) The permittee shall timely inspect the receiving state waters, storm water runoff, control measures, and best management practices to detect violations of and conditions which may cause violations of the basic water quality criteria as specified in section 11-54-4. (e.g., the permittee shall look at the storm water discharge and receiving state waters for turbidity, color, floating oil and grease, floating debris and scum, materials that will settle, substances that will produce taste in the water or detectable off-flavor in fish, and inspect for items that may be toxic or harmful to human or other life.)

(c) Storm Event Information

The permittee shall collect the following information for the storm event monitored:

(1) Date, duration (in hours), and starting and ending times of the storm event; and

(2) Duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch) rainfall event.

9. Corrective Action

The permittee shall immediately stop, reduce, or modify the discharge as needed to stop or prevent a violation of the basic water quality criteria as specified in section 11-54-4.

10. Reporting Requirements

(a) Reporting of Monitoring Results

(1) The permittee shall report monitoring results on a discharge monitoring report form (EPA No. 3320-1) or other form as specified by the director. The permittee shall submit results of all monitoring required by this general permit in a format that demonstrates compliance with the limitations in Table 34.1 and other requirements of this general permit.

(2) The permittee shall submit monitoring results at least annually and the results shall be postmarked or received by the department no later than sixty days after the end of each monitoring year. The first monitoring year shall start on January 1st of the year of the issuance date of the notice of general permit coverage or other date specified by the director in written correspondence to the permittee and end

on December 31st. The subsequent monitoring years shall be calendar years.

(3) The permittee shall also submit the monitoring results with laboratory reports, including quality assurance/quality control data; storm water flow calculations; date, duration, starting and ending times of the storm event; date of the previous 0.1 inch rainfall event; and any additional pollutant control strategies to be implemented based on monitoring results.

(4) Should there be no discharges during the monitoring period, the discharge monitoring report form shall so state.

(b) Additional Monitoring by the Permittee

If the permittee monitors any pollutant at location(s) designated herein more frequently than required by this general permit, using approved analytical methods as specified in section 8(a)(4)(B), the permittee shall include the results of this monitoring in the calculation and reporting of the values required in the discharge monitoring report form. The permittee shall also indicate the increased frequency.

(c) Reporting of Noncompliance, Unanticipated Bypass, or Upset

(1) The permittee or its duly authorized representative shall orally report any of the following when the permittee or its duly authorized representative becomes aware of the circumstances:

(A) Violation of a storm water discharge limitation specified in Table 34.1 or a basic water quality criteria specified in section 8(b) of this general permit;

(B) Discharge or noncompliance with storm water discharge limitations which may endanger health or the environment; or

(C) Unanticipated bypass or upset.

(2) The permittee shall make oral reports by telephone to the Clean Water Branch at (808) 586-4309 during regular office hours which are Monday through Friday (excluding holidays) from 7:45 a.m. until 4:15 p.m. or the Hawaii State Hospital Operator at (808) 247-2191 outside of regular office hours.

(3) The permittee shall provide a written report within five days of the time the permittee or its duly authorized representative becomes aware of the circumstances. The written report shall include the following:

(A) Description of the noncompliance, unanticipated bypass, or upset and its cause;

(B) Period of noncompliance, unanticipated bypass, or upset including exact dates and times;

(C) Estimated time the noncompliance, unanticipated bypass, or upset is

expected to continue if it has not been corrected; and

(D) Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance, unanticipated bypass, or upset.

(4) The director may waive the written report on a case-by-case basis if the oral report has been received within twenty-four hours.

(d) Planned Changes

The permittee shall report any planned physical alterations or additions to the permitted facility, not covered by 40 CFR §122.41(l)(1)(i), (ii), and (iii) to the director on a quarterly basis.

11. Submittal Requirements

(a) The owner or its duly authorized representative shall submit signed copies of monitoring and all other reports required by this general permit to the director at the following address or as otherwise specified:

Director of Health
Clean Water Branch
Environmental Management Division
State Department of Health
P.O. Box 3378
Honolulu, HI 96801-3378

(b) The owner or its duly authorized representative shall include the following certification statement and an original

signature on each submittal in accordance with section 11-55-34.08(e) or (f):

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations."

(c) The owner or its duly authorized representative shall include the notice of general permit coverage file number on each submittal. Failure to provide the assigned notice of general permit coverage file number for this facility on future correspondence or submittals may be a basis for delay of the processing of the document(s).

12. Additional Conditions

The director may impose additional conditions under section 11-55-34.09(b).

13. Record Retention

The permittee shall retain all records and information resulting from the monitoring activities required by this general permit including all records of analyses performed and calibration and maintenance of instrumentation for

a minimum of five years. This period of retention shall be extended during the course of any unresolved litigation or administrative enforcement action regarding the discharge of pollutants by the permittee or when requested by the director or Regional Administrator.

14. Falsifying Report

Knowingly making any false statement on any report required by this general permit may result in the imposition of criminal penalties as provided for in Section 309 of the Act and in section 342D-35, HRS.

TABLE 34.1

LIMITATIONS AND MINIMUM MONITORING REQUIREMENTS FOR STORM WATER DISCHARGES

Storm Water Discharge Parameter	Storm Water Discharge Limitation {1}	Minimum Monitoring Frequency	Type of Sample {2}
Quantity of Discharge (gallons)	{3}	Annually	Calculated or Estimated
Biochemical Oxygen Demand (5-day) (mg/l)	{3}	Annually	Composite {4}
Chemical Oxygen Demand (mg/l)	{3}	Annually	Composite {4}
Total Suspended Solids (mg/l)	{3}	Annually	Composite {4}
Total Phosphorus (mg/l)	{3}	Annually	Composite {4}
Total Nitrogen {5} (mg/l)	{3}	Annually	Composite {4}
Nitrate+Nitrite Nitrogen (mg/l)	{3}	Annually	Composite {4}
Oil and Grease (mg/l)	15	Annually	Grab {6}
pH (standard units)	{7}	Annually	Grab {8}
Toxic Pollutants (mg/l) {9)	{10}	Annually	{11}

mg/l = milligrams per liter

NOTES:

{1} Pollutant concentration levels shall not exceed the storm water discharge limits or be outside the ranges indicated in the table. Actual or measured levels which exceed those storm water discharge limits or are outside those ranges shall be reported to the director as required in section 10(c) of this general permit.

{2} The permittee shall collect samples for analysis from a discharge resulting from a representative storm. A representative storm means a rainfall that accumulates more than 0.1 inch of rain and occurs at least seventy-two hours after the previous measurable (greater than 0.1 inch) rainfall event.

"Grab sample" means a sample collected during the first fifteen minutes of the discharge.

"Composite sample" means a combination of at least two sample aliquots, collected at periodic intervals. The composite shall be flow proportional; either the time interval between each aliquot or the volume of each aliquot must be proportional to the total flow of storm water discharge flow since the collection of the previous aliquot. The permittee may collect aliquots manually or automatically, unless otherwise stated.

Samples for analysis shall be collected during the first fifteen minutes of the discharge and at fifteen-minute intervals thereafter for the duration of the discharge, as applicable. If the discharge lasts for over an hour, sample collection may cease.

{3} No limitation at this time. Only monitoring and reporting is required.

{4} If the duration of the discharge event is less than thirty minutes, the sample collected during the first fifteen minutes of the discharge shall be analyzed as a grab sample and reported toward the fulfillment of this composite sample specification. If the duration of the discharge event is greater than thirty minutes, the Permittee shall analyze two or more sample aliquots as a composite sample.

{5} The total nitrogen parameter is a measure of all nitrogen compounds in the sample (nitrate, nitrite, ammonia, dissolved organic nitrogen, and organic matter present as particulates).

{6} Oil and Grease shall be measured by EPA Method 1664, Revision A.

{7} The pH value shall not be outside the range as specified in chapter 11-54 for the applicable classification of the receiving state waters.

{8} The pH shall be measured within fifteen minutes of obtaining the grab sample.

{9} The permittee shall measure for toxic pollutants, as identified in Appendix D of 40 CFR Part 122; in the Federal Register, Vol. 65, No. 210, pages 64746-64880, dated October 30, 2000, as amended in Federal Register, Vol. 66, No. 6, pages 1675-1678, dated January 9. 2001, and Federal Register, Vol. 66, No. 57, pages 16233-16237, dated March 23, 2001; or in section 11-54-4. The permittee shall measure for the total recoverable portion of all metals. If monitoring results indicate that the discharge limitation was equaled or exceeded, the storm water pollution control

plan shall be amended to include additional best management practices targeted to reduce the parameter which was in excess of the discharge limitation.

{10} Storm water discharge limitations are the acute water quality standards established in section 11-54-4, for either fresh or saline waters. For pollutants which do not have established acute water quality standards, the permittee shall report any detected concentration greater than 0.01 µg/l.

{11} The permittee shall measure for cyanide and the volatile fraction of the toxic organic compounds using a grab sample. The permittee shall measure for all other pollutants, as identified in Appendix D of 40 CFR Part 122; in Federal Register Vol. 65, No. 210, pages 64746-64880, dated October 30, 2000, as amended in Federal Register, Vol. 66, No. 6, pages 1675-1678, dated January 9. 2001, and Federal Register, Vol. 66, No. 57, pages 16233-16237, dated March 23, 2001; or in section 11-54-4 using a composite sample.